

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TYREE JACKSON,	:	
Petitioner,	:	
	:	
v.	:	Civ. No. 15-2204
	:	
CHRISTOPHER THOMAS, et al.,	:	
Respondents.	:	

ORDER

On April 22, 2015, Tyree Jackson, proceeding *pro se*, sought pretrial habeas relief, requesting a transfer from state to federal custody. (Doc. No. 1); 28 U.S.C. § 2241. The Commonwealth has responded. (Doc. No. 15.) I referred the matter to Magistrate Judge Perkin, who has recommended denying the Petition as moot. (Doc. No. 16.)

No objections to the Report and Recommendation have been raised. Accordingly, I must “satisfy [myself] that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) Advisory Committee Notes; see also Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987) (the district court must “afford some level of review” when no objections have been made).

Having reviewed the Report, I see no clear errors. As Judge Perkin found, Petitioner was sentenced on October 26, 2015 and is thus no longer in pretrial detention. (Doc. No. 16 at 10.) Accordingly, the Petition is moot. Bridges v. Lawton, 2014 WL 516460 (E.D. Pa. Feb. 7, 2014) (pretrial § 2241 habeas petition is moot after Petitioner is convicted and sentenced). Moreover, the Petition is also moot because Petitioner, who has been transferred to federal custody, has received all the relief he sought. Finally, I agree with Judge Perkin that in these circumstances, a stay is not required to permit Petitioner to exhaust his state court remedies. Accordingly, I will adopt Judge Perkin’s Recommendation and deny the Petition as moot.

AND NOW, this 26th day of July, 2016, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus (Doc. No. 1), and after review of Judge Perkin's Report and Recommendation (Doc. No. 16), it is hereby **ORDERED** that:

1. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED as moot**;
2. The Magistrate Judge's Report and Recommendation (Doc. No. 16) is **APPROVED AND ADOPTED**;
3. Because Petitioner has not made a substantial showing of the denial of a constitutional right, there are no grounds on which to issue a certificate of appealability.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.